



1001-01

D42

RCE/2700#

#10(1)

10-5-01

B. Hilliard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HUGH et al.

Docket No: 18333-0020

Serial No: 09/236,057

Group Art Unit: 2173

Filing Date: January 22, 1999

Examiner: Sax, S.

For: **METHOD AND APPARATUS FOR ORGANIZING AND PROCESSING INFORMATION USING A DIGITAL COMPUTER**

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL UNDER 37 CFR § 1.114**

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OCT 03 2001
Group 2100

1. Submission required under 37 CFR § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on _____.

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

iii. ☐ Other: Information Disclosure Statement, PTO Form 1449 and references filed on June 29, 2000.

b. ☒ Enclosed

i. ☒ Request for Continued Examination (RCE), Amendment and Petition for two (2) months extension (one month extension has been previously paid on July 27, 2001);

ii. ☒ Postcard for date-stamped return as confirmation of receipt of these materials; and

iii. ☒ Copy of Terminal Disclaimer (and corresponding documents) originally filed on July 27, 2001.

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months.

b. ☐ Other:

10/02/2001 SDENB0B1 00000046 09236057

01 FC:279


355.00 OP

3. Fees

- a. ☒ Check No. 126657 in the amount of \$745.⁰⁰ is enclosed for the required fees.
- i. ☒ RCE fee (\$355.⁰⁰) required under 37 CFR §1.17(e); and
- ii. ☒ Two (2) month extension fee (\$390.⁰⁰) [one month extension fee previously paid].
- b. ☒ The Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 02-3964.

Respectfully submitted,

Date: September 27, 2001

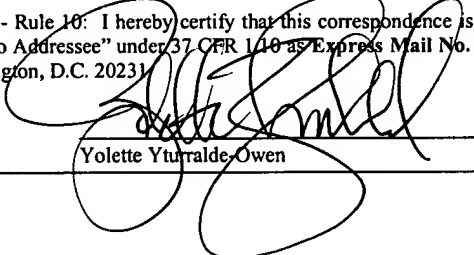

Chien-Wei (Chris) Chou
Registration No. 41,672

OPPENHEIMER WOLFF & DONNELLY LLP
CUSTOMER NO. 25696

CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on September 27, 2001 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EL745057361US addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231

Date: September 27, 2001


Yolette Yturralde-Owen



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HUGH et al. Docket No: 18333-20
Serial No: 09/236,057 Group Art Unit: 2173
Filing Date: January 22, 1999 Examiner: Sax, S.
For: **METHOD AND APPARATUS FOR ORGANIZING AND PROCESSING
INFORMATION USING A DIGITAL COMPUTER**

Assistant Commissioner for Patents
Washington, D.C. 20231

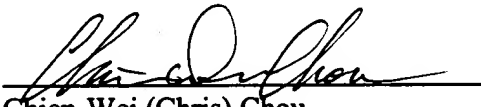
TRANSMITTAL

☒ Applicant petitions for an extension of time under 37 CFR 1.136 for one (1) month.

Transmitted herewith is the following documents:

- ☒ Terminal Disclaimer (37 CFR 1.321(a)(b);
- ☒ Statement Under 37 CFR 3.73(b); and
- ☒ Copy of executed Assignment with Recordation Form Cover Sheet and Notice of Recordation as filed on November 14, 1997 with U.S. Patent Application Serial No. 08/892,548.
- ☒ Check No. 126235 in the amount of \$55.00 for the cost of one month extension.
- ☒ The Commissioner is authorized to charge any required fees, or credit any overpayment to Deposit Account No. 02-3964.

Date: July 27, 2001


Chien-Wei (Chris) Chou
Reg. No. 41,672

OPPENHEIMER WOLFF & DONNELLY LLP
CUSTOMER NUMBER 25696

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited on July 27, 2001, with the U.S. Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: July 27, 2001


Yvette Yturralde-Owen

SEP 27 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

18333-0020

In re Application of: HUGH et al.

Application No.: 09/236,057

Filed: January 22, 1999

For: METHOD AND APPARATUS FOR ORGANIZING AND PROCESSING INFORMATION
USING A DIGITAL COMPUTER

The owner*, TheBrain Technologies, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,031,537. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

Chien-Wei (Chris) Chou
Signature

7/27/01
Date

Chien-Wei (Chris) Chou - Reg. 41,672
Typed or printed name

- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: HUGH et al.Application No./Patent No.: 09/236,057 Filed/Issue Date: January 22, 1999Entitled: "METHOD AND APPARATUS FOR ORGANIZING AND PROCESSING INFORMATION USING..."TheBrain Technologies, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

27 July 2001

Date

Chien-Wei (Chris) Chou - Reg. 41,672

Typed or printed name



Signature

Attorney for Applicant

Title



Natrifical
118603
4.1.1
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 22, 1997

PTAS



100538908A

IRELL & MANELLA LLP
DEE HENDERSON
1800 AVENUE OF THE STARS
SUITE 900
LOS ANGELES, CA 90067

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

note

RECORDATION DATE: 07/14/1997

REEL/FRAME: 8705/0896
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HUGH, HARLAN M.

DOC DATE: 07/14/1997

ASSIGNEE:

NATRIFICAL LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
1101 COLORADO AVENUE
SUITE 200
SANTA MONICA, CALIFORNIA 90401

SERIAL NUMBER: 08892548
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

RECEIVED
OCT 03 2001
Group 2100

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



09-24-1997

To the Honorable Commissioner of Patents



100538908

Original documents or copy

1. Name of conveying party(ies):

Harlan M. Hugh

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: July 14, 1997

2. Name and address of receiving party(ies)

Name: Natrifical LLC, a California
limited liability company
Internal Address:

Street Address: 1101 Colorado Avenue
Suite 200

City: Santa Monica State: CA ZIP: 90401

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: July 14, 1997

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Dee Henderson

Internal Address: Irell & Manella LLP

Street Address: 1800 Avenue of the Stars

Suite 900

City: Los Angeles State: CA ZIP: 90067

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41).....\$ 40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

09-0946

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Dee Henderson

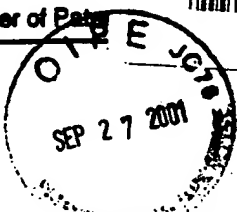
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

MRO 7-14-97



09/18/1997 09THOMAS 00000017 00092548
04 PC:581 40.00-00

ASSIGNMENT

This Assignment is made by Harlan M. Hugh, Assignor, to Natrifical LLC, a California limited liability company, Assignee, having a place of business at 1543 7th Street, Suite 301, Santa Monica, CA 90401.

WHEREAS, Assignor has invented a new and useful METHOD AND APPARATUS FOR ORGANIZING AND PROCESSING INFORMATION USING A DIGITAL COMPUTER for which an application for United States Letters Patent is filed herewith; and

WHEREAS, Assignor believes himself to be the original, first and sole inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and of other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights in which such applications are entitled under international conventions, treaties, or otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, Assignor, his legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

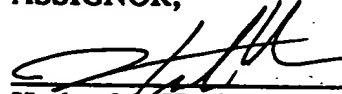
Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said

invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as to the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on this 14th day of JULY, 1997.

ASSIGNOR,



Harlan M. Hugh

State of California)

) ss.

County of Los Angeles)

On this 14th day of July, 1997, before me personally appeared Helen M. Hugh, personally known to me or provided to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public

